

Middlesbrough Local Plan

Scoping Report

November 2022

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Introduction

1. The Council is required by law to prepare a Local Plan that sets out a vision and framework for the future development of Middlesbrough. In doing so it must be based on a robust evidence base that takes account of the projected population change for the area, and assesses the level of development that will be required to support the needs of this population.
2. The Local Plan should also take account of the Council's other plans and strategies to ensure they can be supported by the planning framework, that economic development and growth are not constrained through the planning system, and that there is enough land available to meet all of the borough's needs and aspirations.

Background

3. In 2016, the Council started preparing a Local Plan to replace its existing policy framework. Commencing with an 'Issues and Options' consultation in December 2016 to January 2017, which started the process and provided an initial opportunity to comment on the proposed topics that the Local Plan should address.
4. Further public consultation was undertaken on the 'Preferred Options' in May and June 2018, which set out the Council's preferred policy approach at that time, with a series of public events held where this could be discussed further. The comments received during this consultation were used to finalise the emerging Local Plan, with formal representations invited on the 'Publication Local Plan' between November and December 2018.
5. However, a change in Council administration resulted in a halt to the Local Plan, which was never submitted to Government for Public Examination. Instead, the Council has continued to review its evidence base and consider alternative approaches to development in Middlesbrough.
6. In September 2022, the Council agreed to formally cease work on this emerging Local Plan, recognising that the issues being faced now were significantly different to those the Local Plan has previously been seeking to address. A further Council report was agreed to formally commence work on a new Local Plan, beginning with this Scoping Report.

Purpose of this Scoping Report

7. This Scoping Report has been prepared to formally start the process for preparing a new Local Plan. It defines the scope of the Local Plan in terms of geography and the topics that will be addressed.
8. The Council will undertake a period of community engagement on the Scoping Report to ensure that the local community and key stakeholders are aware of the intention to prepare a new Local Plan, and to provide an opportunity to have a say on what it should contain.
9. The preparation of the Scoping Report, and the associated Community Engagement, will help satisfy Regulation 18 of the Regulations (see paragraph 12).

Existing Local Plan

10. The Council's existing adopted Local Plan for the borough is made up of various documents, as follows:
 - Housing Local Plan (2014);
 - Core Strategy Development Plan Document (DPD) (2008) – retained policies only;
 - Regeneration DPD (2009) – retained policies only;
 - Tees Valley Joint Minerals and Waste Core Strategy (2011);
 - Tees Valley Joint Minerals and Waste Policies and Sites DPD (2011); and
 - Middlesbrough Local Plan (1999) – saved policies only.
11. The full list of policies that will be replaced by the new Local Plan is set out in Appendix 1. The adopted Local Plan will remain the Local Plan for the borough until it is replaced by a new Local Plan.

Legislative Framework and National Planning Policy/Guidance

12. The preparation of the Local Plan is a legal requirement of the Planning & Compulsory Purchase Act 2005. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out further requirements in accordance with the 2004 Act.
13. The legislation sets out statutory stages for plan preparation:
 - Regulation 18 – Preparing a Local Plan
 - Regulation 19 – Publishing a Local Plan
 - Regulation 22 – Submitting a Local Plan to the Secretary of State
 - Regulation 24 – Independent Examination
 - Regulation 26 – Adoption of a Local Plan
14. There are other statutory requirements regarding plan preparation:
 - **Community involvement** – including who must be consulted, when consultation must take place, and for how long
 - **Sustainability Appraisal** – an appraisal of the economic, environmental, and social effects of a plan, to help ensure development will be sustainable
 - **Habitats Regulations Assessment** – an assessment of the impacts of the plan on protected wildlife sites
 - **Duty to Cooperate** – a legal requirement to work with nearby Local Planning Authorities and other statutory organisations on strategic and cross boundary matters

Council Strategies and Plans

15. Other plans and strategies that have been adopted by the Council will be taken into account when preparing the new Local Plan including:
 - Strategic Plan 2021 - 2024
 - Green Strategy
 - Green & Blue Infrastructure Strategy
 - Transforming Middlesbrough's Town Centre – A post-Covid strategy

Background Evidence

16. The Council has an established evidence base, and will continue to keep this under review to ensure it remains up-to-date as the new Local Plan is prepared. The existing relevant documents are as follows (all available on the Council's [evidence library](#)):

Housing

- Middlesbrough Local Housing Needs Assessment 2021
- Gypsy and Traveller Accommodation Assessment (GTAA) 2020
- Affordable Housing Plan 2018
- Local Plan Viability Assessment 2018
- Strategic Housing Market Assessment update jobs uplift 2018
- Strategic Housing Market Assessment 2016 (SHMA) 2016

Economy

- Employment Land Review 2021
- Retail Study - Stage 1 - Need Assessment 2020
- Retail Study - Stage 2 - Middlesbrough Town Centre 2020
- Retail Study - Stage 3 - District and Local Centres Study 2020
- Railway Station and Historic Quarter Action Plan 2018
- Tees Valley Strategic Economic Plan 2016

Natural Environment

- Middlesbrough Green and Blue Infrastructure Strategy 2021-2037 - part 1 2021
- Middlesbrough Green and Blue Infrastructure Strategy 2021-2037 - part 2 2021
- Playing Pitch Strategy 2020
- Playing Pitch Strategy Needs Assessment 2020
- Green Wedges Study 2018
- Open Space Needs Assessment 2018
- Strategic Flood Risk Assessment 2018
- Land South of Newham Hall 2016
- Landscape and Heritage Assessment 2016

Historic Environment

- Middlesbrough Branch Line Report 2018

Local Plan Process & Next Steps

17. The key stages and timetable for preparing the Local Plan are set out in the **Local Development Scheme (LDS)**. This will be kept under review as the Local Plan is being prepared. A summary of the LDS (2022) is set out below:

Stage	Timescale	Description
Scoping Report	October 2022 Consultation November 2022 – January 2023	Formal commencement of the new Local Plan
Draft Local Plan	June 2023 Consultation June – July 2023	A non-statutory stage that provides the opportunity for the Council to set out its preferred approach and to engage with the community on the emerging policies
Publication Local Plan	October 2023 Consultation October - December 2023	Statutory stage, seeking formal representations on the Local Plan that the Council wishes to adopt
Submission	April 2024	Formal submission to the Secretary of State.
Public Examination	April - August 2024	Independent Examination of the Plan to determine legal compliance and soundness. Can only be adopted if found to be sound
Adoption	September 2024	Formal adoption of the new Local Plan by the Council

Community Engagement

18. The Council has adopted a Statement of Community Involvement that sets out the standards and expectations for undertaking community engagement when preparing the Local Plan, and for other planning processes (such as dealing with planning applications). The Council is committed to undertaking full and meaningful engagement with our communities throughout the preparation of the Local Plan.
19. For each stage of the plan making process, a bespoke consultation and communications plan will be prepared that will set out how the consultation will be undertaken. The specific techniques will vary, and the Council will endeavour to ensure they are appropriate for full and meaningful community engagement. For every consultation, the relevant documents will be made available for inspection in person and online. The Council will ask for comments or representations to be made in writing, and a report of consultation that summarises what has been said alongside the Council's response will be prepared.
20. The first consultation is on this Scoping Report. The main purpose of this consultation is to inform our communities and key stakeholders that we have started to prepare a new Local Plan, and to seek views on what it should contain.

21. Future consultations will be undertaken on the Draft Local Plan (preferred options), where the Council will be asking for views on its preferred policy approach, and on the Publication Local Plan, where formal representations on legal compliance and soundness matters will be sought. Additional consultations may be undertaken should it be considered appropriate/necessary.

Scope of the new Local Plan

Geography

22. The new Local Plan will cover the whole of the Middlesbrough Local Authority Area.

Plan Period

23. The new Local Plan will cover the period 2022 – 2039.

Topics

24. It will deal with all planning matters except for minerals and waste, which will continued to be dealt with jointly with the other Tees Valley Local Planning Authorities.

25. Matters that the Local Plan will cover include topics as set out in the NPPF:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Supporting high quality communications
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change a flooding
- Conserving and enhancing the natural environment – Green Infrastructure
- Conserving and enhancing the historic environment

26. In addition, a suite of development management policies will be included that will be used in the consideration of planning applications.

27. All of the new policies that will be applied to specific sites or areas will be illustrated on the Local Plan Policies Map.

Anticipated structure of the new Local Plan

28. The draft objectives, and proposed layout of the new Local Plan, are set out below. Please note these are intended to indicate the scope of topics to be covered and may change in response to evidence, including this consultation.

Objectives

29. A series of key objectives will be defined that will help define the issues the Local Plan will need to address. The following draft objectives have been determined based on the existing evidence base and knowledge of the local area.

- **Objective A** To deliver new high quality, well-designed and energy efficient development that meets the needs and aspirations of our current and future residents
- **Objective B** To revitalise Middlesbrough Town Centre through diversifying our retail and leisure offer, and attracting new urban dwellers
- **Objective C** To strengthen our local economy by supporting existing businesses and attracting new employers
- **Objective D** To build high quality homes that help strengthen our communities
- **Objective E** To protect and enhance our Green and Blue Infrastructure Network
- **Objective F** To ensure that new development is properly served by new and improved physical, social and environmental infrastructure
- **Objective G** To recognise and value our historical and culturally important assets; and
- **Objective H** To achieve healthy and safe communities

Key Chapters / Topics

30. The proposed layout of the new Local Plan is as follows:

Introduction

31. We will introduce the Local Plan and set out how it has been prepared.

Strategy & Vision

32. An overarching strategy for development will be prepared, within the context of the key objects set out above. The broader strategic context will be explained, including the other key local plans, strategies and policies, alongside how the Local Plan will support these. A Vision will paint a picture of what Middlesbrough will look like by the end of the plan period.

Design

33. The Council recognises the value of high quality design and considers the layout and design of new development to be particularly important in ensuring its success. Policies will set out the standards and expectations that new development must deliver to achieve successful place making.

Green and Blue Infrastructure

34. Green and blue infrastructure is, and will continue to be, critical in creating high quality places where people want to live. The Local Plan will set out a strategic approach based upon the recently adopted Green and Blue Infrastructure Strategy 2021-2037. The overall approach will seek to establish a network of interconnected green and blue spaces that will enhance the borough and provide better opportunities for our residents to access a range of good quality public open spaces. Policies and designations will be included to protect and manage open spaces, recreation and leisure facilities, green wedges and important sites designated for their biodiversity and geodiversity value. The approach to biodiversity net gain will also be established.

Physical, social and environmental infrastructure

35. The Council will set out an approach to ensure that all new development is appropriately supported by and connected to existing and new infrastructure, including transport and highways, education, health, cemeteries and communications. Where appropriate land will be identified to provide for/meet identified new infrastructure needs. A separate Infrastructure Delivery Plan will be used to identify what is necessary to support the Local Plan.

Housing

36. The Local Plan will include a strategic approach to housing, to clarify how and where new housing will be developed, and what it aims to achieve. An evidence-based housing requirement will be determined using the 'standard method' as a baseline, taking into account other Council aims and objectives. A series of housing allocations will determine the locations for new housing development to meet the requirement. Other housing policies will deal with the type, mix and tenure of housing and what will be required to meet the needs identified in the evidence base. Specific policies will be included to address affordable housing and to meet Gypsy, Traveller and Travelling Showpeople needs.

Economic Development

37. An economic strategy will be determined, that will identify the key sectors that the Council will support through the Local Plan. Employment areas will be allocated based upon the

findings of the Employment Land Review and any other evidence, to ensure that there is sufficient land to support economic growth.

Town Centres

38. The Local Plan will recognise the changing role of shopping areas, and set out a strategy to support their future viability and resilience. The Middlesbrough Town Centres Study will be used to guide a review of Middlesbrough Town Centre, the primary shopping area and other designations within our main centre. The network and hierarchy of other centres will be reviewed to ensure they remain fit for purpose and meet local retail and other shopping needs. Local thresholds for the sequential and impact tests will be determined, and a specific policy to deal with the proliferation and concentration of hot food takeaways will be included. A policy approach to dealing with town centre uses in non-centre locations will also be considered.

Managing the Historic Environment

39. The Local Plan will include policies that recognise our heritage assets and set out an approach for managing them in a way that protects and enhances their significance. Appropriate opportunities to secure their future use will be prioritised.

Development Management Policies

40. A suite of development management policies will be included and will cover issues such as general development principles, developer contributions, and space standards for new residential development.

Questions

41. The Council is seeking views on this Scoping Report and also what the new Local Plan should contain. All comments are welcomed, particularly answers to the questions below:

- **Question 1** Is the proposed geographical area (i.e. the whole of Middlesbrough Local Authority Area) appropriate for preparing a new Local Plan?
- **Question 2** Is the proposed plan period of 2022 – 2039 appropriate?
- **Question 3** Do you consider that the proposed evidence base sufficiently covers all relevant matters for the Local Plan?
- **Question 4** Do you agree with the identified Objectives?
- **Question 5** Having read the Scoping Report, is there anything else we should include within the new Local Plan?
- **Question 6** Do you have any other comments?

How to respond to this consultation

42. Consultation on the Local Plan Scoping Report, and the accompanying Sustainability Appraisal Scoping Report, will take place between Monday 5th December 2022 and Tuesday 31st January 2023. Consultation will be undertaken in line with the Consultation and Communications Plan as per the process set down in the SCI.
43. The Local Plan Scoping Report and Sustainability Appraisal Scoping Report will be available in Middlesbrough House, and all the Council libraries and Community Hubs.
44. All documents associated with the preparation of the Local Plan are available to view on the Planning Services pages of the Council's website at www.middlesbrough.gov.uk
45. Any comments you wish to be taken into account must be made in writing:
- on the Council's consultation portal, which can be accessed from the Planning pages of the Council's website www.middlesbrough.gov.uk
 - by email to: planningpolicy@middlesbrough.gov.uk
 - via post to: Planning Policy Team, Planning Services, Middlesbrough Council, Fountain Court, 119 Grange Road, Middlesbrough, TS1 2DT

APPENDIX 1 Policies to be replaced by the new Local Plan

Housing Local Plan 2014

Policy Ref	Policy Name
<i>Housing Core Strategy</i>	
H1	Spatial Strategy
H2	Greater Middlehaven
H3	Inner Middlesbrough (Gresham, Acklam Green, Grove Hill)
H4	Prissick
H5	Brookfield
H6	Ladgate Lane
H7	Hemlington Grange
H8	Coulby Newham
H9	Stainton
H10	Nunthorpe
H11	Housing Strategy
H12	Affordable Housing
H13	Provision for Gypsies and Travellers, and Travelling Showpeople
CS17	Transport Strategy
CS20	Green Infrastructure
<i>Housing DPD</i>	
H14	Greater Middlehaven – Mix of uses and phasing
H15	Greater Middlehaven – Development and design principles
H16	Greater Middlehaven – Transport infrastructure
H17	Gresham/Jewels Street area
H18	Acklam Green
H19	Grove Hill
H20	Prissick
H21	Brookfield
H22	Land South of Ladgate Lane (Cleveland Police Authority Headquarters Site)
H23	Hemlington Grange
H24	Hemlington Grange – Employment Uses
H25	Hemlington Grange - Transport Infrastructure
H26	Coulby Newham
H27	Stainton
H28	Land at Grey Towers Farm
H29	Land at Nunthorpe, South of Guisborough Road
H30	Land at Ford Close Riding Centre
H31	Housing Allocations
H32	Clairville
H33	Acklam Iron & Steelworks Club
H34	St. David's (Former RC School Site)
H35	Beechwood
H36	Low Gill
H37	Gypsy and Travelling Showpeople Site

Regeneration DPD 2009 (retained policies)

Policy Ref	Policy Name
REG7	Hemlington Regeneration Area
REG9	Abingdon
REG10	North Ormesby
REG12	Employment Allocations
REG13	Riverside Park – General Development Considerations
REG14	Riverside Park – South West Ironmasters
REG15	Riverside Park – Enterprise Centre
REG16	East Middlesbrough Business Action Zone (embaz)
REG17	Green Blue Heart
REG20	Principal Use Sectors
REG21	Primary Shopping Frontage
REG22	Cannon Park Sector
REG23	Middlehaven Sector
REG24	Southern Sector
REG25	Centre Square East
REG26	Gurney Street Triangle
REG27	Middlesbrough Leisure Park
REG28	District Centres
REG29	Local Centres
REG30	Neighbourhood Centres
REG31	Prissick Base
REG32	St Lukes Hospital
REG33	Cargo Fleet Medical Centre
REG34	East Middlesbrough Transport Corridor
REG36	Zetland Car Park
REG37	Bus Network 'Super Core' and 'Core' Routes

Core Strategy DPD 2008 (retained policies)

Policy Ref	Policy Name
CS4	Sustainable Development
CS5	Design
CS6	Developer Contributions
CS7	Economic Strategy
CS8	Existing Employment Provision
CS10	Replacement Dwellings
CS13	A Strategy for the Town, District, Local and Neighbourhood centres
CS14	Leisure Development
CS15	Casinos
CS16	Education
CS18	Demand Management

CS19	Road Safety
CS21	Green Blue Heart
DC1	General Development

Saved Local Plan Policies 1999

Policy Ref	Policy Name
E2	Green Wedges
E3	Development Adjoining Green Wedges
E4	Greenlink Network
E5	Teesdale Way
E7	Primary Open Space
E8	New Primary Open Space
E10	Secondary Open Space
E13	Outdoor Sports, Proposals
E20	Limit to Urban Development
E21	Special Landscape Areas
E22	New Housing In Countryside
E23	Conversion of Rural Buildings
E24	Conversion of Rural Buildings for Residential Purposes
E25	Stables and Similar Structures
E28	Recreational Uses in the Countryside
E44	Advertisement in Conservation Areas and on Listed Buildings
E49	Development Along Main Approach Roads
COM4	Cemetery, Acklam
U2	Telecommunications